

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

LONNIE J. FITZGERALD,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil No. 3:10-cv-5095-KLS

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded to the Commissioner for further administrative proceedings including a de novo hearing in regard to Plaintiff's application for disability insurance benefits under Title II of the SS Act and for SSI benefits under Title XVI of the SS Act. The ALJ will perform any further development and conduct any further proceedings deemed necessary. The ALJ and Plaintiff may also raise and pursue additional issues, including any discussed in Plaintiff's brief. The parties stipulate that this remand be made pursuant to sentence four of

42 U.S.C. sec. 405(g), and that Plaintiff will be entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. sec 2412(d), upon proper request to this Court.

DATED this 1st day of July, 2010.



Karen L. Strombom
United States Magistrate Judge

Presented By:

s/ Michael S. Howard

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